

SUBJECT: JAMES EARL RAY

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CIVIL ACTION NO. 4:15-cv-00626-A

Defendant.

On August 16, 2015, Kibler filed her Original Complaint against Tarrant County and Judge Casey. Kibler pled the following claims against Tarrant County: (1) sexual harassment and sexually hostile work environment in violation of Title VII; (2) sexual harassment, quid pro quo in violation of Title VII; (3) retaliation in violation of Title VII; (4) sexual harassment and sexually hostile work environment in violation of Texas Commission on Human Rights Act; (5) retaliation in violation of Texas Commission on Human Rights Act; (6) violation of due process via 42 U.S.C. § 1983 – the Fourteenth Amendment of the United States Constitution; (7)

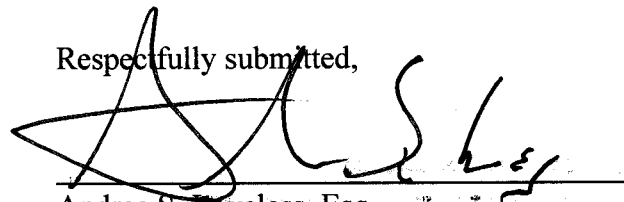
violation of the Equal Protection via 42 U.S.C. § 1983 – the Fourteenth Amendment of the United States Constitution; and (8) retaliation via 42 U.S.C. § 1983 – the First Amendment of the United States Constitution. Tarrant County filed its answer on October 19, 2015.

Kibler has decided that she no longer desires to pursue her claims against Tarrant County. In accordance with Rule 41(a)(2), Kibler seeks to voluntarily dismiss these claims with prejudice. Kibler reserves her right to proceed with all of her claims against Defendant Judge Casey.

Here, dismissal is proper for the grounds stated above. No counter-claim has been pleaded by Tarrant County prior to the filing of this motion. Further, Tarrant County does not oppose this motion nor object to dismissal. Accordingly, Kibler requests that all of her claims against Tarrant County be dismissed with prejudice.

WHEREFORE, PREMISES CONSIDERED, Kibler respectfully requests the Court grant her Motion for Voluntary Dismissal and that it enter an order dismissing all of her claims against Tarrant County only and with prejudice in accordance with FED. R. CIV. P. 41(a)(2) and for such other relief to which Kibler may be entitled.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'A. Loveless', is written over a horizontal line.

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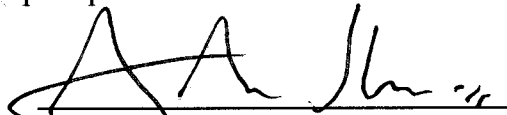
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Attorneys for Plaintiff

ATTORNEY FOR MARTHA KIBLER

CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing document was forwarded to counsel for Defendant Tarrant County, Texas, Russell D. Cawyer, Kelly Hart & Hallman LLP, 201 Main Street, Ste. 2500, Fort Worth, Texas 76102, and counsel for Honorable Russ Casey, Ed Walton, Law Offices of Ed Walton, 101 Metro Drive, Terrell, Texas 75160 this 14th day of January, 2016 by certified mail, return receipt requested.



Andrea S. Loveless